

111TH CONGRESS  
2D SESSION

# S. 3574

To amend title II of the Social Security Act to prohibit the inclusion of  
Social Security account numbers on Medicare cards.

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IN THE SENATE OF THE UNITED STATES

JULY 13, 2010

Mr. BROWN of Ohio (for himself and Mr. COBURN) introduced the following  
bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend title II of the Social Security Act to prohibit  
the inclusion of Social Security account numbers on  
Medicare cards.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Medicare Identity  
5       Theft Prevention Act of 2010”.

6       **SEC. 2. PROHIBITION OF INCLUSION OF SOCIAL SECURITY**  
7       **ACCOUNT NUMBERS ON MEDICARE CARDS.**

8       (a) IN GENERAL.—Section 205(c)(2)(C) of the Social  
9       Security Act (42 U.S.C. 405(c)(2)(C)), as amended by  
10      section 1414(a)(2) of the Patient Protection and Afford-

1 able Care Act (Public Law 111–148), is amended by add-  
 2 ing at the end the following new clause:

3       “(xi) The Secretary of Health and Human Services,  
 4 in consultation with the Commissioner of Social Security,  
 5 shall establish cost-effective procedures to ensure that a  
 6 social security account number (or any derivative thereof)  
 7 is not displayed, coded, or embedded on the Medicare card  
 8 issued to an individual who is entitled to benefits under  
 9 part A of title XVIII or enrolled under part B of title  
 10 XVIII and that any other identifier displayed on such card  
 11 is easily identifiable as not being the social security ac-  
 12 count number (or a derivative thereof).”.

13       (b) EFFECTIVE DATE.—

14           (1) IN GENERAL.—The amendment made by  
 15 subsection (a) shall apply with respect to Medicare  
 16 cards issued on and after an effective date specified  
 17 by the Secretary of Health and Human Services, but  
 18 in no case shall such effective date be later than the  
 19 date that is 24 months after the date adequate fund-  
 20 ing is provided pursuant to subsection (d)(2).

21           (2) REISSUANCE.—Subject to subsection (d)(2),  
 22 in the case of individuals who have been issued such  
 23 cards before such date, the Secretary of Health and  
 24 Human Services—

1 (A) shall provide for the reissuance for  
2 such individuals of such a card that complies  
3 with such amendment not later than 3 years  
4 after the effective date specified under para-  
5 graph (1); and

6 (B) may permit such individuals to apply  
7 for the reissuance of such a card that complies  
8 with such amendment before the date of  
9 reissuance otherwise provided under subpara-  
10 graph (A) in such exceptional circumstances as  
11 the Secretary may specify.

12 (c) OUTREACH PROGRAM.—Subject to subsection  
13 (d)(2), the Secretary of Health and Human Services, in  
14 consultation with the Commissioner of Social Security,  
15 shall conduct an outreach program to Medicare bene-  
16 ficiaries and providers about the new Medicare card pro-  
17 vided under this section.

18 (d) REPORT TO CONGRESS AND LIMITATIONS ON EF-  
19 FECTIVE DATE.—

20 (1) REPORT.—Not later than 90 days after the  
21 date of the enactment of this Act, the Secretary of  
22 Health and Human Services, acting through the Ad-  
23 ministrator of the Centers for Medicare & Medicaid  
24 Services and in consultation with the Commissioner  
25 of Social Security, shall submit to Congress a report

1 that includes detailed options regarding the imple-  
2 mentation of this section, including line-item esti-  
3 mates of and justifications for the costs associated  
4 with such options and estimates of timeframes for  
5 each stage of implementation. In recommending  
6 such options, the Secretary shall take into consider-  
7 ation, among other factors, cost-effectiveness and  
8 beneficiary outreach and education.

9 (2) LIMITATION; MODIFICATION OF DEAD-  
10 LINES.—With respect to the amendment made by  
11 subsection (a), and the requirements of subsections  
12 (b) and (c)—

13 (A) such amendment and requirements  
14 shall not apply until adequate funding is appro-  
15 priated pursuant to paragraph (3) to implement  
16 the provisions of this section, as determined by  
17 Congress; and

18 (B) any deadlines otherwise established  
19 under this section for such amendment and re-  
20 quirements are contingent upon the receipt of  
21 adequate funding (as determined in subpara-  
22 graph (A)) for such implementation.

23 The previous sentence shall not affect the timely  
24 submission of the report required under paragraph  
25 (1).

1 (3) AUTHORIZATION OF APPROPRIATIONS.—

2 (A) IN GENERAL.—In addition to any  
3 amounts made available to the Secretary of  
4 Health and Human Services for the Program  
5 Management Account of the Centers for Medi-  
6 care & Medicaid Services for administrative ex-  
7 penses and to the Commissioner of Social Secu-  
8 rity for administrative expenses, and subject to  
9 subparagraph (B), taking into consideration the  
10 report submitted under paragraph (1), there  
11 are authorized to be appropriated such sums as  
12 are necessary, provided such sums are fully off-  
13 set, to carry out the previous subsections of this  
14 section, including section 205(c)(2)(C)(xi) of  
15 the Social Security Act, as added by subsection  
16 (a), for each of the five fiscal years beginning  
17 after the date of submittal of the report under  
18 paragraph (1).

19 (B) LIMITATION.—Such funds are not au-  
20 thorized to be appropriated until after receipt of  
21 the report provided under paragraph (1).

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